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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/204,123	12/02/98	SHIBATA	K 8046.037USO

020227 QM32/0222
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EXAMINER

SMITH, S

ART UNIT

PAPER NUMBER

3729

DATE MAILED: 02/22/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/204,123

Applicant(s)

Shibata

Examiner

Sean Smith

Group Art Unit

3729



☒ Responsive to communication(s) filed on Jan 10, 2001

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-9 is/are pending in the application

Of the above, claim(s) 3, 5, 8, and 9 is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 2, 4, 6, and 7 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 3729

Election/Restriction

1. Claims 3, 5, 8 and 9 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 5.

Continued Prosecution Application

2. The request filed on 1/10/01 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09204123 is acceptable and a CPA has been established. An action on the CPA follows.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1,2,4,6 and 7 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Matsui et al.

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See Fig 5 (a) and (column 1, ln 49+)

Response to Arguments

5. Applicant's arguments filed 5/2/00 have been fully considered but they are not persuasive.

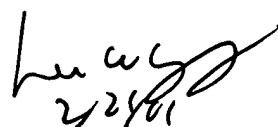
Matsui provides an anisotropic element according to the shape of the shape of the terminals. Matsui further provides all teachings of claim 1 comprising; a conductive layer on the target surface, placing a plurality of electrical components Fig (5a) on the conductive layer; and pressing the assembly together (column 2 ln 15-16). The applicants arguments are directed tp the newly added limitation , that are presented in the claims preamble and not the claims structure. The newly added limitations would be more favorable if the limitations were added to the claim body to define the method of surface mounting a plurality of components.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to S. Smith whose telephone number is (703) 305-0831.

SS

February 21, 2001


LEE YOUNG
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